

***In the Senate of the United States,***

*March 16, 1995.*

*Resolved*, That the bill from the House of Representatives (H.R. 889) entitled “An Act making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes”, do pass with the following

**AMENDMENTS:**

- 1   **(1)**Page 1, strike out all after line 2 over to and includ-
- 2   ing line 12 on page 16 and insert:
- 3   *That the following sums are appropriated, out of any*
- 4   *money in the Treasury not otherwise appropriated, to pro-*
- 5   *vide supplemental appropriations for the Department of*
- 6   *Defense for the fiscal year ending September 30, 1995, and*
- 7   *for other purposes, namely:*

1                   **TITLE I**

2                   CHAPTER I

3                   SUPPLEMENTAL APPROPRIATIONS

4                   DEPARTMENT OF DEFENSE—MILITARY

5                   MILITARY PERSONNEL

6                   MILITARY PERSONNEL, ARMY

7                   For an additional amount for “Military Personnel,  
8 Army”, \$35,400,000.

9                   MILITARY PERSONNEL, NAVY

10                  For an additional amount for “Military Personnel,  
11 Navy”, \$49,500,000.

12                  MILITARY PERSONNEL, MARINE CORPS

13                  For an additional amount for “Military Personnel,  
14 Marine Corps”, \$10,400,000.

15                  MILITARY PERSONNEL, AIR FORCE

16                  For an additional amount for “Military Personnel,  
17 Air Force”, \$37,400,000.

18                  RESERVE PERSONNEL, NAVY

19                  For an additional amount for “Reserve Personnel,  
20 Navy”, \$4,600,000.

21                  OPERATION AND MAINTENANCE

22                  OPERATION AND MAINTENANCE, ARMY

23                  For an additional amount for “Operation and Mainte-  
24 nance, Army”, \$636,900,000.

1            *OPERATION AND MAINTENANCE, NAVY*

2            *For an additional amount for “Operation and Mainte-*  
3 *nance, Navy”, \$284,100,000.*

4            *OPERATION AND MAINTENANCE, MARINE CORPS*

5            *For an additional amount for “Operation and Mainte-*  
6 *nance, Marine Corps”, \$27,700,000.*

7            *OPERATION AND MAINTENANCE, AIR FORCE*

8            *For an additional amount for “Operation and Mainte-*  
9 *nance, Air Force”, \$785,800,000.*

10          *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

11          *For an additional amount for “Operation and Mainte-*  
12 *nance, Defense-Wide”, \$43,200,000.*

13          *OPERATION AND MAINTENANCE, NAVY RESERVE*

14          *For an additional amount for “Operation and Mainte-*  
15 *nance, Navy Reserve”, \$6,400,000.*

16          *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

17                  *DEFENSE HEALTH PROGRAM*

18          *For an additional amount for “Defense Health Pro-*  
19 *gram”, \$14,000,000.*

20                  *GENERAL PROVISIONS*

21          *SEC. 101. No part of any appropriation contained in*  
22 *this Act shall remain available for obligation beyond the*  
23 *current fiscal year unless expressly so provided herein.*

24          *SEC. 102. During the current fiscal year, appropria-*  
25 *tions available to the Department of Defense for the pay*

1 of civilian personnel may be used, without regard to the  
2 time limitations specified in section 5523(a) of title 5,  
3 United States Code, for payments under the provisions of  
4 section 5523 of title 5, United States Code, in the case of  
5 employees, or an employee's dependents or immediate fam-  
6 ily, evacuated from Guantanamo Bay, Cuba, pursuant to  
7 the August 26, 1994 order of the Secretary of Defense.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 103. In addition to amounts appropriated or oth-  
10 erwise made available by this Act, \$28,297,000 is hereby  
11 appropriated to the Department of Defense and shall be  
12 available only for transfer to the United States Coast Guard  
13 to cover the incremental operating costs associated with Op-  
14 erations Able Manner, Able Vigil, Restore Democracy, and  
15 Support Democracy: Provided, That such amount shall re-  
16 main available for obligation until September 30, 1996.

17 SEC. 104. (a) Section 8106A of the Department of De-  
18 fense Appropriations Act, 1995 (Public Law 103-335), is  
19 amended by striking out the last proviso and inserting in  
20 lieu thereof the following: "": Provided further, That if, after  
21 September 30, 1994, a member of the Armed Forces (other  
22 than the Coast Guard) is approved for release from active  
23 duty or full-time National Guard duty and that person sub-  
24 sequently becomes employed in a position of civilian em-  
25 ployment in the Department of Defense within 180 days  
26 after the release from active duty or full-time National

1 *Guard duty, then that person is not eligible for payments*  
2 *under a Special Separation Benefits program (under sec-*  
3 *tion 1174a of title 10, United States Code) or a Voluntary*  
4 *Separation Incentive program (under section 1175 of title*  
5 *10, United States Code) by reason of the release from active*  
6 *duty or full-time National Guard duty, and the person shall*  
7 *reimburse the United States the total amount, if any, paid*  
8 *such person under the program before the employment be-*  
9 *gins”.*

10 *(b) Appropriations available to the Department of De-*  
11 *fense for fiscal year 1995 may be obligated for making pay-*  
12 *ments under sections 1174a and 1175 of title 10, United*  
13 *States Code.*

14 *(c) The amendment made by subsection (a) shall be*  
15 *effective as of September 30, 1994.*

16 *SEC. 105. Subsection 8054(g) of the Department of De-*  
17 *fense Appropriations Act, 1995 (Public Law 103–335), is*  
18 *amended to read as follows: “Notwithstanding any other*  
19 *provision of law, of the amounts available to the Depart-*  
20 *ment of Defense during fiscal year 1995, not more than*  
21 *\$1,252,650,000 may be obligated for financing activities of*  
22 *defense FFRDCs: Provided, That, in addition to any other*  
23 *reductions required by this section, the total amount appro-*  
24 *priated in title IV of this Act is hereby reduced by*  
25 *\$200,000,000 to reflect the funding ceiling contained in this*

1 subsection and to reflect further reductions in amounts  
2 available to the Department of Defense to finance activities  
3 carried out by defense FFRDCs and other entities providing  
4 consulting services, studies and analyses, systems engineer-  
5 ing and technical assistance, and technical, engineering  
6 and management support.”.

7 (RESCISSIONS)

8 SEC. 106. Of the funds provided in Department of De-  
9 fense Appropriations Acts, the following funds are hereby  
10 rescinded from the following accounts in the specified  
11 amounts:

12 Operation and Maintenance, Navy, \$16,300,000;

13 Operation and Maintenance, Air Force,  
14 \$2,000,000;

15 Operation and Maintenance, Defense-Wide,  
16 \$90,000,000;

17 Environmental Restoration, Defense,  
18 \$300,000,000;

19 Aircraft Procurement, Army, 1995/1997,  
20 \$77,611,000;

21 Procurement of Ammunition, Army, 1993/1995,  
22 \$85,000,000;

23 Procurement of Ammunition, Army, 1995/1997,  
24 \$89,320,000;

25 Other Procurement, Army, 1995/1997,  
26 \$46,900,000;

1           *Shipbuilding and Conversion, Navy, 1995/1999,*  
 2           *\$26,600,000;*

3           *Missile Procurement, Air Force, 1993/1995,*  
 4           *\$33,000,000;*

5           *Missile Procurement, Air Force, 1994/1996,*  
 6           *\$86,184,000;*

7           *Other Procurement, Air Force, 1995/1997,*  
 8           *\$6,100,000;*

9           *Procurement, Defense-Wide, 1995/1997,*  
 10          *\$81,000,000;*

11          *Defense Production Act, \$100,000,000;*

12          *Research, Development, Test and Evaluation,*  
 13          *Army, 1995/1996, \$38,300,000;*

14          *Research, Development, Test and Evaluation,*  
 15          *Navy, 1995/1996, \$59,600,000;*

16          *Research, Development, Test and Evaluation,*  
 17          *Air Force, 1994/1995, \$81,100,000;*

18          *Research, Development, Test and Evaluation,*  
 19          *Air Force, 1995/1996, \$226,900,000;*

20          *Research, Development, Test and Evaluation,*  
 21          *Defense-Wide, 1994/1995, \$77,000,000;*

22          *Research, Development, Test and Evaluation,*  
 23          *Defense-Wide, 1995/1996, \$351,000,000.*

24                               *(TRANSFER OF FUNDS)*

25          *SEC. 107. Section 8005 of the Department of Defense*  
 26          *Appropriations Act, 1995 (Public Law 103–335; 108 Stat.*

1 2617), is amended by striking out “\$2,000,000,000” and  
 2 inserting in lieu thereof “\$1,750,000,000”.

3 **SEC. 108. REPORT ON COST AND SOURCE OF FUNDS FOR**  
 4 **MILITARY ACTIVITIES IN HAITI.**

5 (a) *REQUIREMENT.*—None of the funds appropriated  
 6 by this Act or otherwise made available to the Department  
 7 of Defense may be expended for operations or activities of  
 8 the Armed Forces in and around Haiti sixty days after en-  
 9 actment of this Act, unless the President submits to Con-  
 10 gress the report described in subsection (b).

11 (b) *REPORT ELEMENTS.*—The report referred to in  
 12 subsection (a) shall include the following:

13 (1) A detailed description of the estimated cumu-  
 14 lative incremental cost of all United States activities  
 15 subsequent to September 30, 1993, in and around  
 16 Haiti, including but not limited to—

17 (A) the cost of all deployments of United  
 18 States Armed Forces and Coast Guard personnel,  
 19 training, exercises, mobilization, and prepara-  
 20 tion activities, including the preparation of po-  
 21 lice and military units of the other nations of the  
 22 multinational force involved in enforcement of  
 23 sanctions, limits on migration, establishment  
 24 and maintenance of migrant facilities at Guan-  
 25 tanamo Bay and elsewhere, and all other activi-



1        *ties relating to operations in and around Haiti;*  
2        *and*

3                *(B) the costs of all other activities relating*  
4        *to United States policy toward Haiti, including*  
5        *humanitarian and development assistance, re-*  
6        *construction, balance of payments and economic*  
7        *support, assistance provided to reduce or elimi-*  
8        *nate all arrearages owed to International Finan-*  
9        *cial Institutions, all rescheduling or forgiveness*  
10       *of United States bilateral and multilateral debt,*  
11       *aid and other financial assistance, all in-kind*  
12       *contributions, and all other costs to the United*  
13       *States Government.*

14               *(2) A detailed accounting of the source of funds*  
15       *obligated or expended to meet the costs described in*  
16       *paragraph (1), including—*

17               *(A) in the case of funds expended from the*  
18       *Department of Defense budget, a breakdown by*  
19       *military service or defense agency, line item, and*  
20       *program; and*

21               *(B) in the case of funds expended from the*  
22       *budgets of departments and agencies other than*  
23       *the Department of Defense, by department or*  
24       *agency and program.*

SEC. 110. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for assistance to or programs in the Democratic People's Republic of Korea, or for implementation of the October 21, 1994, Agreed Framework between the United States and the Democratic People's Republic of Korea, unless specifically appropriated for that purpose.

19    **(2)**Page 16 after line 12 insert:

20 **SEC. 111. LIMITATION ON EMERGENCY AND EXTRAOR-**  
21 **DINARY EXPENSES.**

(a) *IN GENERAL.*—Funds appropriated or otherwise made available to the Department of Defense may not be obligated under section 127 of title 10, United States Code, for the provision of assistance, including the donation, sale,

1 *or financing for sale, of any item, to a foreign country that*  
 2 *is ineligible under the Foreign Assistance Act of 1961 or*  
 3 *the Arms Export Control Act to receive any category of as-*  
 4 *sistance.*

5 *(b) EFFECTIVE DATE.—The limitations in subsection*  
 6 *(a) shall apply to obligations made on or after the date*  
 7 *of enactment of this Act.*

8 **(3)**Page 16, after line 12, insert:

9 *SEC. 112. (a) Notwithstanding any other provision of*  
 10 *law, no funds appropriated by this Act, or otherwise appro-*  
 11 *priated or made available by any other Act, may be utilized*  
 12 *for purposes of entering into the agreement described in sub-*  
 13 *section (b) until the President certifies to Congress that—*

14 *(1) Russia has agreed not to sell nuclear reactor*  
 15 *components to Iran; or*

16 *(2) the issue of the sale by Russia of such compo-*  
 17 *nents to Iran has been resolved in a manner that is*  
 18 *consistent with—*

19 *(A) the national security objectives of the*  
 20 *United States; and*

21 *(B) the concerns of the United States with*  
 22 *respect to nonproliferation in the Middle East.*

23 *(b) The agreement referred to in subsection (a) is an*  
 24 *agreement known as the Agreement on the Exchange of*  
 25 *Equipment, Technology, and Materials between the United*

1 *States Government and the Government of the Russian Fed-*  
2 *eration, or any department or agency of that government*  
3 *(including the Russian Ministry of Atomic Energy), that*  
4 *the United States Government proposes to enter into under*  
5 *section 123 of the Atomic Energy Act of 1954 (42 U.S.C.*  
6 *2153).*

7 **(4)**Page 16 after line 12 insert:

8 *SEC. 113. It is the sense of the Senate that—*

9 *(1) Congress should enact legislation that termi-*  
10 *nates the entitlement to pay and allowances for each*  
11 *member of the Armed Forces who is sentenced by a*  
12 *court-martial to confinement and either a dishonor-*  
13 *able discharge, bad-conduct discharge, or dismissal;*

14 *(2) the legislation should provide for restoration*  
15 *of the entitlement if the sentence to confinement and*  
16 *punitive discharge or dismissal, as the case may be,*  
17 *is disapproved or set aside; and*

18 *(3) the legislation should include authority for*  
19 *the establishment of a program that provides transi-*  
20 *tional benefits for spouses and other dependents of a*  
21 *member of the Armed Forces receiving such a sen-*  
22 *tence.*

23 **(5)**Page 16 after line 12 insert:

1 **SEC. 114. RESCISSION OF FUNDS FOR CERTAIN MILITARY**  
2 **CONSTRUCTION PROJECTS.**

3 (a) *CONDITIONAL RESCISSION OF FUNDS FOR CER-*  
4 *TAIN PROJECTS.*—(1)(A) *Notwithstanding any other provi-*  
5 *sion of law and subject to paragraphs (2) and (3), of the*  
6 *funds provided in the Military Construction Appropria-*  
7 *tions Act, 1995 (Public Law 103–307; 108 Stat. 1659), the*  
8 *following funds are hereby rescinded from the following ac-*  
9 *counts in the specified amounts:*

10 *Military Construction, Army, \$11,554,000.*

11 *Military Construction, Air Force, \$6,500,000.*

12 (B) *Rescissions under this paragraph are for projects*  
13 *at military installations that were recommended for closure*  
14 *by the Secretary of Defense in the recommendations submit-*  
15 *ted by the Secretary to the Defense Base Closure and Re-*  
16 *alignment Commission on March 1, 1995, under the base*  
17 *closure Act.*

18 (2) *A rescission of funds under paragraph (1) shall*  
19 *not occur with respect to a project covered by that para-*  
20 *graph if the Secretary certifies to Congress that—*

21 (A) *the military installation at which the project*  
22 *is proposed will not be subject to closure or realign-*  
23 *ment as a result of the 1995 round of the base closure*  
24 *process; or*

25 (B) *if the installation will be subject to realign-*  
26 *ment under that round of the process, the project is*

1       for a function or activity that will not be transferred  
2       from the installation as a result of the realignment.

3       (3) A certification under paragraph (2) shall be effec-  
4       tive only if—

5               (A) the Secretary submits the certification to-  
6               gether with the approval and recommendations trans-  
7               mitted to Congress by the President in 1995 under  
8               paragraph (2) or (4) section 2903(e) of the base clo-  
9               sure Act; or

10              (B) the base closure process in 1995 is termi-  
11              nated pursuant to paragraph (5) of that section.

12       (b) *ADDITIONAL RESCISSIONS RELATING TO BASE*  
13 *CLOSURE PROCESS.*—Notwithstanding any other provision  
14 of law, funds provided in the Military Construction Appro-  
15 priations Act, 1995 for a military construction project are  
16 hereby rescinded if—

17              (1) the project is located at an installation that  
18              the President recommends for closure in 1995 under  
19              section 2903(e) of the base closure Act; or

20              (2) the project is located at an installation that  
21              the President recommends for realignment in 1995  
22              under such section and the function or activity with  
23              which the project is associated will be transferred  
24              from the installation as a result of the realignment.

1       (c) *DEFINITION.*—In the section, the term “base closure  
2 *Act*” means the Defense Base Closure and Realignment Act  
3 of 1990 (part A of title XXIX of Public Law 101–510; 10  
4 *U.S.C. 2687 note*).

5       **(6)**Page 16 after line 12 insert:

6       **SEC. 115. SENSE OF SENATE ON SOUTH KOREA TRADE BAR-**  
7                               **RIERS TO UNITED STATES BEEF AND PORK.**

8       (a) *FINDINGS.*—The Senate makes the following find-  
9 *ings*:

10               (1) *The United States has approximately 37,000*  
11 *military personnel stationed in South Korea and*  
12 *spent over \$2,000,000,000 last year to preserve peace*  
13 *on the Korean peninsula.*

14               (2) *The United States Trade Representative has*  
15 *initiated a section 301 investigation against South*  
16 *Korea for its nontariff trade barriers on United*  
17 *States beef and pork.*

18               (3) *The barriers cited in the section 301 petition*  
19 *include government-mandated shelf-life requirements,*  
20 *lengthy inspection and customs procedures, and arbi-*  
21 *trary testing requirements that effectively close the*  
22 *South Korean market to such beef and pork.*

23               (4) *United States trade and agriculture officials*  
24 *are in the process of negotiating with South Korea to*

1        *open South Korea's market to United States beef and*  
2        *pork.*

3            *(5) The United States meat industry estimates*  
4        *that South Korea's nontariff trade barriers on United*  
5        *States beef and pork cost United States businesses*  
6        *more than \$240,000,000 in lost revenue last year and*  
7        *could account for more than \$1,000,000,000 in lost*  
8        *revenue to such business by 1999 if South Korea's*  
9        *trade practices on such beef and pork are left un-*  
10       *changed.*

11           *(6) The United States beef and pork industries*  
12        *are a vital part of the United States economy, with*  
13        *operations in each of the 50 States.*

14           *(7) Per capita consumption of beef and pork in*  
15        *South Korea is currently twice that of such consump-*  
16        *tion in Japan. Given that the Japanese are currently*  
17        *the leading importers of United States beef and pork,*  
18        *South Korea holds the potential of becoming an un-*  
19        *paralleled market for United States beef and pork.*

20        *(b) It is the sense of the Senate that—*

21           *(1) the security relationship between the United*  
22        *States and South Korea is essential to the security of*  
23        *the United States, South Korea, the Asia-Pacific re-*  
24        *gion and the rest of the world;*



1           (2) the efforts of the United States Trade Rep-  
2       resentative to open South Korea's market to United  
3       States beef and pork deserve support and commenda-  
4       tion; and

5           (3) The United States Trade Representative  
6       should continue to insist upon the removal of South  
7       Korea's nontariff barriers to United States beef and  
8       pork.

9       **(7)**Page 16 after line 12 insert:

10       SEC. 116. (a)(1) The Senate finds that the Treaty on  
11       the Non-Proliferation of Nuclear Weapons, hereinafter re-  
12       ferred to as the NPT, is the cornerstone of the global nuclear  
13       nonproliferation regime;

14       (2) That, with more than 170 parties, the NPT enjoys  
15       the widest adherence of any arms control agreement in his-  
16       tory;

17       (3) That the NPT sets the fundamental legal and polit-  
18       ical framework for prohibiting all forms of nuclear non-  
19       proliferation;

20       (4) That the NPT provides the fundamental legal and  
21       political foundation for the efforts through which the nu-  
22       clear arms race was brought to an end and the world's nu-  
23       clear arsenals are being reduced as quickly, safely and se-  
24       curely as possible;

1       (5) *That the NPT spells out only three extension op-*  
2 *tions: indefinite extension, extension for a fixed period, or*  
3 *extension for fixed periods;*

4       (6) *That any temporary or conditional extension of*  
5 *the NPT would require a dangerously slow and unpredict-*  
6 *able process of re-ratification that would cripple the NPT;*

7       (7) *That it is the policy of the President of the United*  
8 *States to seek indefinite and unconditional extension of the*  
9 *NPT: Now, therefore;*

10      (b) *It is the sense of the Senate that—*

11           (1) *indefinite and unconditional extension of the*  
12 *NPT would strengthen the global nuclear non-*  
13 *proliferation regime;*

14           (2) *indefinite and unconditional extension of the*  
15 *NPT is in the interest of the United States because*  
16 *it would enhance international peace and security;*

17           (3) *the President of the United States has the full*  
18 *support of the Senate in seeking the indefinite and*  
19 *unconditional extension of the NPT;*

20           (4) *all parties to the NPT should vote to extend*  
21 *the NPT unconditionally and indefinitely; and*

22           (5) *parties opposing indefinite and uncondi-*  
23 *tional extension of the NPT are acting against their*  
24 *own interest, the interest of the United States and the*  
25 *interest of all the peoples of the world by placing the*

1        *nuclear nonproliferation regime and global security*  
2        *at risk.*

3        **(8)**Page 16 after line 12 insert:

4        *SEC. 117. NATIONAL TEST FACILITY.—It is the sense*  
5        *of the Senate that the National Test Facility provides im-*  
6        *portant support to strategic and theater missile defense in*  
7        *the following areas—*

8                *(a) United States-United Kingdom defense plan-*  
9        *ning;*

10               *(b) the PATRIOT and THAAD programs;*

11               *(c) computer support for the Advanced Research*  
12        *Center; and*

13               *(d) technical assistance to theater missile defense;*  
14        *and fiscal year 1995 funding should be maintained to en-*  
15        *sure retention of these priority functions.*

16        **(9)**Page 16 after line 12 insert:

17        *SEC. 118. (a) In determining the amount of funds*  
18        *available for obligation from the Environmental Restora-*  
19        *tion, Defense, account in fiscal year 1995 for environmental*  
20        *restoration at the military installations described in sub-*  
21        *section (b), the Secretary of Defense shall not take into ac-*  
22        *count the rescission from the account set forth in section*  
23        *106.*

24               *(b) Subsection (a) applies to military installations*  
25        *that the Secretary recommends for closure or realignment*

1 *in 1995 under section 2903(c) of the Defense Base Closure*  
 2 *and Realignment Act of 1990 (subtitle A of title XXIX of*  
 3 *Public Law 101–510; 10 U.S.C. 2687 note).*

4 **(10)**Page 16 after line 12 insert:

5 *CHAPTER II*  
 6 *FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED*  
 7 *PROGRAMS*  
 8 *BILATERAL ECONOMIC ASSISTANCE*  
 9 *FUNDS APPROPRIATED TO THE PRESIDENT*  
 10 *DEBT RESTRUCTURING*  
 11 *DEBT RELIEF FOR JORDAN*

12 *For the cost, as defined in section 502 of the Congres-*  
 13 *sional Budget Act of 1974, of modifying direct loans to Jor-*  
 14 *dan issued by the Export-Import Bank or by the Agency*  
 15 *for International Development or by the Department of De-*  
 16 *fense, or for the cost of modifying: (1) concessional loans*  
 17 *authorized under title I of the Agricultural Trade Develop-*  
 18 *ment and Assistance Act of 1954, as amended, and (2) cred-*  
 19 *its owed by Jordan to the Commodity Credit Corporation,*  
 20 *as a result of the Corporation's status as a guarantor of*  
 21 *credits in connection with export sales to Jordan; as author-*  
 22 *ized under subsection (a) under the heading, "Debt Relief*  
 23 *for Jordan", in title VI of Public Law 103–306,*  
 24 *\$275,000,000, to remain available until September 30,*  
 25 *1996: Provided, That not more than \$50,000,000 of the*

1 *funds appropriated by this paragraph may be obligated*  
2 *prior to October 1, 1995.*

3 **(11)**Page 16 strike out line 13 and insert:

4 ***TITLE II***

5 **(12)**Page 16, strike out all after line 20 over to and  
6 including line 7 on page 17 and insert:

7 *DEPARTMENT OF JUSTICE*

8 *IMMIGRATION AND NATURALIZATION SERVICE*

9 *IMMIGRATION EMERGENCY FUND*

10 *(RESCISSION)*

11 *Of the amounts made available under this heading in*

12 *Public Law 103–317, \$10,000,000 are rescinded.*

13 *DEPARTMENT OF COMMERCE*

14 *NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY*

15 *INDUSTRIAL TECHNOLOGY SERVICES*

16 *(RESCISSION)*

17 *Of the amounts made available under this heading in*

18 *Public Law 103–317 for the Advanced Technology Program,*

19 *\$32,000,000 are rescinded.*

20 *NATIONAL OCEANIC AND ATMOSPHERIC*

21 *ADMINISTRATION*

22 *OPERATIONS, RESEARCH AND FACILITIES*

23 *(RESCISSION)*

24 *Of the funds made available under this heading in*

25 *Public Law 103–317, \$2,500,000 are rescinded.*

1        *NATIONAL TELECOMMUNICATIONS AND*  
2                *INFORMATION ADMINISTRATION*

3                *INFORMATION INFRASTRUCTURE GRANTS*  
4                        *(RESCISSION)*

5        *Of the amounts made available under this heading in*  
6 *Public Law 103–317, \$34,000,000 are rescinded.*

7                *ECONOMIC DEVELOPMENT ADMINISTRATION*  
8                *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*  
9                        *(RESCISSION)*

10        *Of the amounts made available under this heading in*  
11 *Public Law 103–317, \$40,000,000 are rescinded.*

12                *RELATED AGENCIES*  
13                *SMALL BUSINESS ADMINISTRATION*

14                        *SALARIES AND EXPENSES*  
15                        *(RESCISSION)*

16        *Of the funds made available under this heading in*  
17 *Public Law 103–317 for tree-planting grants pursuant to*  
18 *section 24 of the Small Business Act, as amended,*  
19 *\$15,000,000 are rescinded.*

20                *LEGAL SERVICES CORPORATION*

21                *PAYMENT TO THE LEGAL SERVICES CORPORATION*  
22                        *(RESCISSION)*

23        *Of the funds made available under this heading in*  
24 *Public Law 103–317 for payment to the Legal Services Cor-*  
25 *poration to carry out the purposes of the Legal Services*

1 *Corporation Act of 1974, as amended, \$15,000,000 are re-*  
 2 *scinded.*

3 *DEPARTMENT OF STATE AND RELATED*  
 4 *AGENCIES*

5 *DEPARTMENT OF STATE*

6 *ADMINISTRATION OF FOREIGN AFFAIRS*

7 *(ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD)*

8 *(RESCISSION)*

9 *Of unobligated balances available under this heading,*  
 10 *\$28,500,000 are rescinded.*

11 **(13)**Page 17, after line 18, insert:

12 *Of the funds appropriated in Public Law 103–316,*  
 13 *\$3,000,000 is hereby authorized for appropriation to the*  
 14 *Corps of Engineers to initiate and complete remedial meas-*  
 15 *ures to prevent slope instability at Hickman Bluff, Ken-*  
 16 *tucky.*

17 **(14)**Page 18, after line 6 insert:

18 *CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT*  
 19 *ASSOCIATION*  
 20 *(RESCISSION)*

21 *Of the funds made available under this heading in*  
 22 *Public Law 103–306, \$70,000,000 are rescinded.*

23 **(15)**Page 18, strike lines 14 to 20 and insert:

1                    *DEVELOPMENT ASSISTANCE FUND*

2                    *(RESCISSION)*

3            *Of the funds made available under this heading in*  
 4   *Public Law 103–87 and Public Law 103–306, \$13,000,000*  
 5   *are rescinded.*

6            *ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC*

7                    *STATES*

8                    *(RESCISSION)*

9            *Of the funds made available under this heading in*  
 10   *Public Law 103–87 and Public Law 103–306, \$9,000,000*  
 11   *are rescinded.*

12            *ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE*

13                    *FORMER SOVIET UNION*

14                    *(RESCISSION)*

15            *Of the funds made available under this heading in*  
 16   *Public Law 103–87 and Public Law 103–306, \$18,000,000*  
 17   *are rescinded, of which not less than \$12,000,000 shall be*  
 18   *derived from funds allocated for Russia.*

19    **(16)**Page 19, after line 14, insert:

20                    *DEPARTMENT OF THE INTERIOR*

21                    *UNITED STATES FISH AND WILDLIFE SERVICE*

22                    *RESOURCE MANAGEMENT*

23                    *(RESCISSION)*

24            *Of the funds made available under this heading in*  
 25   *Public Law 103–332—*



1           (1) \$1,500,000 are rescinded from the amounts  
2           available for making determinations whether a species  
3           is a threatened or endangered species and whether  
4           habitat is critical habitat under the Endangered Spe-  
5           cies Act of 1973 (16 U.S.C. 1531 et seq.); and

6           (2) none of the remaining funds appropriated  
7           under that heading may be made available for mak-  
8           ing a final determination that a species is threatened  
9           or endangered or that habitat constitutes critical  
10          habitat (except a final determination that a species  
11          previously determined to be endangered is no longer  
12          endangered but continues to be threatened).

13          To the extent that the Endangered Species Act of 1973  
14          has been interpreted or applied in any court order (includ-  
15          ing an order approving a settlement between the parties to  
16          a civil action) to require the making of a determination  
17          respecting any number of species or habitats by a date cer-  
18          tain, that Act shall not be applied to require that the deter-  
19          mination be made by that date if the making of the deter-  
20          mination is made impracticable by the rescission made by  
21          the preceding sentence.

22    **(17)**Page 20, strike out lines 2 to 6 and insert:

1 *STUDENT FINANCIAL ASSISTANCE*

2 *(RESCISSION)*

3 *Of the funds made available under this heading in*  
 4 *Public Law 103–112, \$100,000,000 made available for title*  
 5 *IV, part A, subpart 1 of the Higher Education Act are re-*  
 6 *scinded.*

7 **(18)**Page 20, after line 10 insert:

8 *FEDERAL AVIATION ADMINISTRATION*

9 *FACILITIES AND EQUIPMENT*

10 *(AIRPORT AND AIRWAY TRUST FUND)*

11 *(RESCISSION)*

12 *Of the available balances under this heading that re-*  
 13 *main unobligated for the “advanced automation system”,*  
 14 *\$35,000,000 are rescinded.*

15 *FEDERAL HIGHWAY ADMINISTRATION*

16 *FEDERAL-AID HIGHWAYS*

17 *(HIGHWAY TRUST FUND)*

18 *(RESCISSION)*

19 *Of the available contract authority balances under this*  
 20 *heading in Public Law 97–424, \$13,340,000 are rescinded;*  
 21 *and of the available balances under this heading in Public*  
 22 *Law 100–17, \$126,608,000 are rescinded.*

1 *MISCELLANEOUS HIGHWAY DEMONSTRATION PROJECTS*

2 *(RESCISSION)*

3 *Of the available appropriated balances provided in*  
 4 *Public Law 93–87; Public Law 98–8; Public Law 98–473;*  
 5 *and Public Law 100–71, \$12,004,450 are rescinded.*

6 **(19)**Page 20, strike out lines 11 to 15

7 **(20)**Page 20, strike out lines 16 to 19

8 **(21)**Page 21, strike out lines 5 to 11

9 **(22)**Page 21, after line 11 insert:

10 *DEPARTMENT OF HOUSING AND URBAN*

11 *DEVELOPMENT*

12 *HOUSING PROGRAMS*

13 *ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING*

14 *(RESCISSION)*

15 *Of the funds made available under this heading in*  
 16 *Public Law 103–327 and any unobligated balances from*  
 17 *funds appropriated under this heading in prior years,*  
 18 *\$400,000,000 are rescinded from amounts available for the*  
 19 *development or acquisition costs of public housing.*

20 **(23)**Page 21, after line 11, insert:

21 ***TITLE III—MISCELLANEOUS***

22 *SEC. 301.—Notwithstanding sections 12106, 12107,*  
 23 *and 12108 of title 46, United States Code, and section 27*

1 *of the Merchant Marine Act, 1920 (46 App. U.S.C. 883),*  
 2 *as applicable on the date of enactment of this Act, the Sec-*  
 3 *retary of Transportation may issue a certificate of docu-*  
 4 *mentation for the vessel L. R. BEATTIE, United States of-*  
 5 *ficial number 904161.*

6 **(24)**Page 21, after line 11, insert:

7 ***TITLE IV—MEXICAN DEBT DISCLOSURE***  
 8 ***ACT OF 1995***

9 ***SEC. 401. SHORT TITLE.***

10 *This title may be cited as the “Mexican Debt Disclo-*  
 11 *sure Act of 1995”.*

12 ***SEC. 402. FINDINGS.***

13 *The Congress finds that—*

14 *(1) Mexico is an important neighbor and trading*  
 15 *partner of the United States;*

16 *(2) on January 31, 1995, the President approved*  
 17 *a program of assistance to Mexico, in the form of*  
 18 *swap facilities and securities guarantees in the*  
 19 *amount of \$20,000,000,000, using the Exchange Sta-*  
 20 *bilization Fund;*

21 *(3) the program of assistance involves the par-*  
 22 *ticipation of the Federal Reserve System, the Inter-*  
 23 *national Monetary Fund, the Bank of International*  
 24 *Settlements, the World Bank, the Inter-American De-*

1        *velopment Bank, the Bank of Canada, and several*  
2        *Latin American countries;*

3            *(4) the involvement of the Exchange Stabiliza-*  
4        *tion Fund and the Federal Reserve System means*  
5        *that United States taxpayer funds will be used in the*  
6        *assistance effort to Mexico;*

7            *(5) assistance provided by the International*  
8        *Monetary Fund, the World Bank, and the Inter-*  
9        *American Development Bank may require additional*  
10       *United States contributions of taxpayer funds to those*  
11       *entities;*

12           *(6) the immediate use of taxpayer funds and the*  
13       *potential requirement for additional future United*  
14       *States contributions of taxpayer funds necessitates*  
15       *Congressional oversight of the disbursement of funds;*  
16       *and*

17           *(7) the efficacy of the assistance to Mexico is con-*  
18       *tingent on the pursuit of sound economic policy by*  
19       *the Government of Mexico.*

20       **SEC. 403. REPORTS REQUIRED.**

21           *(a) REPORTS.—Not later than April 1, 1995, and*  
22       *every month thereafter, the President shall transmit a re-*  
23       *port to the appropriate congressional committees concern-*  
24       *ing all United States Government loans, credits, and guar-*

1 *antees to, and short-term and long-term currency swaps*  
2 *with, Mexico.*

3 *(b) CONTENTS OF REPORTS.—The report described in*  
4 *subsection (a) shall include the following:*

5 *(1) A description of the current condition of the*  
6 *Mexican economy.*

7 *(2) Information regarding the implementation*  
8 *and the extent of wage, price, and credit controls in*  
9 *the Mexican economy.*

10 *(3) A complete documentation of Mexican tax-*  
11 *ation policy and any proposed changes to such policy.*

12 *(4) A description of specific actions taken by the*  
13 *Government of Mexico during the preceding month to*  
14 *further privatize the economy of Mexico.*

15 *(5) A list of planned or pending Mexican Gov-*  
16 *ernment regulations affecting the Mexican private sec-*  
17 *tor.*

18 *(6) A summary of consultations held between the*  
19 *Government of Mexico and the Department of the*  
20 *Treasury, the International Monetary Fund, or the*  
21 *Bank of International Settlements.*

22 *(7) A full description of the activities of the*  
23 *Mexican Central Bank, including the reserve positions*  
24 *of the Mexican Central Bank and data relating to the*  
25 *functioning of Mexican monetary policy.*

1           (8) *The amount of any funds disbursed from the*  
2           *Exchange Stabilization Fund pursuant to the ap-*  
3           *proval of the President issued on January 31, 1995.*

4           (9) *A full disclosure of all financial transactions,*  
5           *both inside and outside of Mexico, made during the*  
6           *preceding month involving funds disbursed from the*  
7           *Exchange Stabilization Fund and the International*  
8           *Monetary Fund, including transactions between—*

9                     *(A) individuals;*

10                    *(B) partnerships;*

11                    *(C) joint ventures; and*

12                    *(D) corporations.*

13           (10) *An accounting of all outstanding United*  
14           *States Government loans, credits, and guarantees pro-*  
15           *vided to the Government of Mexico, set forth by cat-*  
16           *egory of financing.*

17           (11) *A detailed list of all Federal Reserve cur-*  
18           *rency swaps designed to support indebtedness of the*  
19           *Government of Mexico, and the cost or benefit to the*  
20           *United States Treasury from each such transaction.*

21           (12) *A description of any payments made during*  
22           *the preceding month by creditors of Mexican petro-*  
23           *leum companies into the petroleum finance facility es-*  
24           *tablished to ensure repayment of United States loans*  
25           *or guarantees.*

1           (13) A description of any disbursement during  
2           the preceding month by the United States Government  
3           from the petroleum finance facility.

4           (14) Once payments have been diverted from  
5           PEMEX to the United States Treasury through the  
6           petroleum finance facility, a description of the status  
7           of petroleum deliveries to those customers whose pay-  
8           ments were diverted.

9           (15) A description of the current risk factors  
10          used in calculations concerning Mexican repayment  
11          of indebtedness.

12          (16) A statement of the progress the Government  
13          of Mexico has made in reforming its currency and es-  
14          tablishing an independent central bank or currency  
15          board.

16   **SEC. 404. PRESIDENTIAL CERTIFICATION.**

17          Notwithstanding any other provision of law, before ex-  
18          tending any loan, credit, guarantee, or arrangement for a  
19          swap of currencies to Mexico through any United States  
20          Government monetary facility, the President shall certify  
21          to the appropriate congressional committees that—

22                (1) there is no projected cost to the United States  
23                from the proposed loan, credit, guarantee, or currency  
24                swap;



1           (2) all loans, credits, guarantees, and currency  
2       swaps are adequately collateralized to ensure that  
3       United States funds will be repaid;

4           (3) the Government of Mexico has undertaken ef-  
5       fective efforts to establish an independent central bank  
6       or an independent currency control mechanism; and

7           (4) Mexico has in effect a significant economic  
8       reform effort.

9       **SEC. 405. DEFINITION.**

10       As used in this title, the term “appropriate congres-  
11       sional committees” means the Committees on Banking and  
12       Financial Services and International Relations of the  
13       House of Representatives and the Committees on Foreign  
14       Relations and Banking, Housing, and Urban Affairs of the  
15       Senate.

16       **(25)**Page 21, strike out lines 12 to 15 and insert:

17       This Act may be cited as the “Supplemental Appro-  
18       priations and Rescissions Act, 1995”.

Amend the title so as to read: “An Act making supplemental appropriations and rescissions for the fiscal year ending September 30, 1995, and for other purposes.”.

Attest:

*Secretary.*

HR 889 EAS—2

HR 889 EAS—3

HR 889 EAS—4

HR 889 EAS—5

104TH CONGRESS  
1ST SESSION

**H. R. 889**

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**AMENDMENT**